

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 26th day of February 2004.

APPROVED:

RON SILVIA, Mayor

ATTEST:

Connie Hooks, City Secretary

APPROVED:

City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

Tract 1

The following property is rezoned from A-O Agricultural Open to C-2 Commercial Industrial.

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE S. W. ROBERTSON LEAGUE, ABSTRACT NO. 202, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING THE REMAINDER OF A CALLED 10.3855 ACRE TRACT AS DESCRIBED BY A DEED TO MIKE A. DOWNEY RECORDED IN VOLUME 828, PAGE 166 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "B" AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "D."

Tract 2

The following property is rezoned from A-O Agricultural Open to C-1 General Commercial:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE S. W. ROBERTSON LEAGUE, ABSTRACT NO. 202, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING THE REMAINDER OF A CALLED 10.3855 ACRE TRACT AS DESCRIBED BY A DEED TO MIKE A. DOWNEY RECORDED IN VOLUME 828, PAGE 166 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "C" AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "D."

**METES AND BOUNDS DESCRIPTION
OF A
5.61 ACRE TRACT
S. W. ROBERTSON LEAGUE, A-202
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE S. W. ROBERTSON LEAGUE, ABSTRACT NO. 202, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING THE REMAINDER OF A CALLED 10.3855 ACRE TRACT AS DESCRIBED BY A DEED TO MIKE A. DOWNEY RECORDED IN VOLUME 828, PAGE 166 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD SET ON THE EXISTING SOUTHWEST LINE OF STATE HIGHWAY NO. 6 (VARIABLE WIDTH R.O.W.) MARKING THE EAST CORNER OF SAID REMAINDER OF 10.3855 ACRE TRACT AND THE NORTHEAST CORNER OF THE REMAINDER OF A CALLED 9.39 ACRE TRACT AS DESCRIBED AS TRACT II BY A DEED TO WILLIAM EUGENE HILL RECORDED IN VOLUME 2192, PAGE 222 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A CONCRETE RIGHT-OF-WAY MARKER FOUND BEARS: S 48° 55' 21" E FOR A DISTANCE OF 480.50 FEET;

THENCE: S 50° 50' 12" W ALONG THE COMMON LINE OF SAID REMAINDER OF 10.3855 ACRE TRACT AND SAID REMAINDER OF 9.39 ACRE TRACT FOR A DISTANCE OF 422.06 FEET TO POINT MARKING THE **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 50° 50' 12" W CONTINUING ALONG THE COMMON LINE OF SAID REMAINDER OF 10.3855 ACRE TRACT AND SAID REMAINDER OF 9.39 ACRE TRACT FOR A DISTANCE OF 596.49 FEET TO A 5/8 INCH IRON ROD SET MARKING THE SOUTH CORNER OF THIS HEREIN DESCRIBED TRACT AND THE EAST CORNER OF A CALLED 6.60 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF BRYAN RECORDED IN VOLUME 1940, PAGE 152 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A 3/4 INCH IRON ROD FOUND MARKING THE SOUTHEAST CORNER OF SAID 6.60 ACRE TRACT BEARS: S 50° 50' 12" W FOR A DISTANCE OF 266.28 FEET;

THENCE: N 38° 45' 16" W ALONG THE COMMON LINE OF SAID REMAINDER OF 10.3855 ACRE TRACT AND SAID 6.60 ACRE TRACT AND THE REMAINDER OF A CALLED 10.39 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION RECORDED IN VOLUME 1217, PAGE 585 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, FOR A DISTANCE OF 411.55 FEET TO A 5/8 INCH IRON ROD SET MARKING THE WEST CORNER OF THIS HEREIN DESCRIBED TRACT, SAID IRON ROD SET BEING ON THE SOUTHEAST LINE OF A CALLED 6.7883 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION RECORDED IN VOLUME 1216, PAGE 440 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS (THIS LINE WAS USED FOR BEARING ORIENTATION HONORING THE DEED CALL BEARING OF THE NORTHEAST LINE OF SAID 6.60 ACRE TRACT AND SAID REMAINDER OF 10.39 ACRE TRACT, 1940/152 AND 1217/585), FOR REFERENCE A 5/8 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID 6.7883 ACRE TRACT AND AN INTERIOR CORNER OF SAID REMAINDER OF 10.39 ACRE TRACT BEARS: S

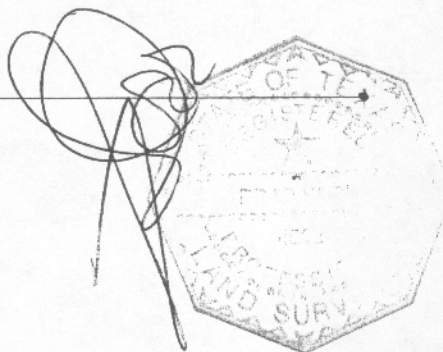
51° 08' 03" W FOR A DISTANCE OF 49.60 FEET;

THENCE: N 51° 08' 03" E ALONG THE COMMON LINE OF SAID REMAINDER OF 10.3855 ACRE TRACT AND SAID 6.7883 ACRE TRACT FOR A DISTANCE OF 595.68 FEET TO A POINT MARKING THE NORTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 38° 51' 57" E THROUGH SAID REMAINDER OF 10.3855 ACRE TRACT FOR A DISTANCE OF 408.45 FEET TO THE POINT OF BEGINNING CONTAINING 5.61 ACRES OF LAND MORE OR LESS AS SURVEYED ON THE GROUND NOVEMBER, 2003. SEE PLAT PREPARED DECEMBER, 2003, FOR MORE DESCRIPTIVE INFORMATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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**METES AND BOUNDS DESCRIPTION
OF A
3.61 ACRE TRACT
S. W. ROBERTSON LEAGUE, A-202
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE S. W. ROBERTSON LEAGUE, ABSTRACT NO. 202, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 10.3855 ACRE TRACT AS DESCRIBED BY A DEED TO MIKE A. DOWNEY RECORDED IN VOLUME 828, PAGE 166 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD SET ON THE EXISTING SOUTHWEST LINE OF STATE HIGHWAY NO. 6 (VARIABLE WIDTH R.O.W.) MARKING THE EAST CORNER OF SAID REMAINDER OF 10.3855 ACRE TRACT AND THE NORTHEAST CORNER OF THE REMAINDER OF A CALLED 9.39 ACRE TRACT AS DESCRIBED AS TRACT II BY A DEED TO WILLIAM EUGENE HILL RECORDED IN VOLUME 2192, PAGE 222 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A CONCRETE RIGHT-OF-WAY MARKER FOUND BEARS: S 48° 55' 21" E FOR A DISTANCE OF 480.50 FEET;

THENCE: S 50° 50' 12" W ALONG THE COMMON LINE OF SAID REMAINDER OF 10.3855 ACRE TRACT AND SAID REMAINDER OF 9.39 ACRE TRACT FOR A DISTANCE OF 422.06 FEET TO A POINT MARKING THE SOUTH CORNER OF THIS HEREIN DESCRIBED TRACT, FOR REFERENCE A 5/8 INCH IRON ROD SET MARKING THE SOUTH CORNER OF THIS HEREIN DESCRIBED TRACT AND THE EAST CORNER OF A CALLED 6.60 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF BRYAN RECORDED IN VOLUME 1940, PAGE 152 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, BEARS: S 50° 50' 12" W FOR A DISTANCE OF 596.49 FEET FROM WHICH A 3/4 INCH IRON ROD FOUND MARKING THE SOUTHEAST CORNER OF SAID 6.60 ACRE TRACT BEARS: S 50° 50' 12" W FOR A DISTANCE OF 266.28 FEET;

THENCE: N 38° 51' 57" W THROUGH SAID REMAINDER OF 10.3855 ACRE TRACT FOR A DISTANCE OF 408.45 FEET TO A POINT ON THE COMMON LINE OF SAID REMAINDER OF 10.3855 ACRE TRACT AND A CALLED 6.7883 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION RECORDED IN VOLUME 1216, PAGE 440 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 51° 08' 03" E ALONG THE COMMON LINE OF SAID REMAINDER OF 10.3855 ACRE TRACT AND SAID 6.7883 ACRE TRACT FOR A DISTANCE OF 350.00 FEET TO A 5/8 INCH IRON ROD SET ON THE SOUTHWEST LINE OF STATE HIGHWAY NO. 6 MARKING THE NORTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 48° 55' 21" E ALONG THE SOUTHWEST LINE OF STATE HIGHWAY NO. 6 FOR A DISTANCE OF 412.60 FEET TO THE **POINT OF BEGINNING** CONTAINING 3.61 ACRES OF LAND MORE OR LESS AS SURVEYED ON THE GROUND NOVEMBER, 2003. SEE PLAT PREPARED DECEMBER, 2003, FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREON IS BASED ON THE DEED CALL BEARINGS OF A CALLED 6.60 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF BRYAN RECORDED IN VOLUME 1940, PAGE 152 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502
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